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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION**

MARCUS BROOKS, KATHARINE
GUZENSKI, RODRIGO
MALDONADO, CANDIDA ORTIZ, and
COURTNEY WALKER,

Petitioners,

vs.

WARNERMEDIA DIRECT, LLC,

Respondents.

Case No. 2:23-cv-07579 GW (MRWx)

**DECLARATION OF PATRICK A. HUBER
IN SUPPORT OF PETITIONERS'
PETITION TO COMPEL ARBITRATION**

Judge George H. Wu

Date: November 6, 2023
Time: 8:30 AM

1 I, Patrick Huber, declare as follows:

2 1. I am over 18 years of age and am competent to testify to the matters in this
3 declaration. I have personal knowledge of each matter attested to in this document.

4 2. Attached as Exhibit A to this declaration is a true and correct copy of the
5 HBO Max Terms of Use dated April 29, 2020.

6 3. Attached as Exhibit B to this declaration is a true and correct copy of the
7 HBO Max Terms of Use dated October 19, 2021.

8 4. Attached as Exhibit C to this declaration is a true and correct copy of the
9 HBO Max Terms of Use dated November 1, 2022.

10 5. Attached as Exhibit D to this declaration is a true and correct copy of the
11 HBO Max Terms of Use dated December 20, 2022.

12 6. Attached as Exhibit E to this declaration is a true and correct copy of the
13 Max Terms of Use dated May 23, 2023.

14 7. Petitioners Marcus Brooks, Katharine (“Rose”) Guzenski, Rodrigo
15 Maldonado, Candida Ortiz, and Courtney Walker (collectively, “Petitioners”) each served
16 a Notice of Dispute on WarnerMedia in January 2023. Attached as Exhibit F (Petitioner
17 Brooks), Exhibit G (Petitioner Guzenski), Exhibit H (Petitioner Maldonado), Exhibit I
18 (Petitioner Ortiz), and Exhibit J (Petitioner Walker) to this declaration are true and correct
19 copies of those Notices of Dispute.

20 8. On January 9, 2023, Keller Postman caused service of Notices of Dispute for
21 Petitioners Guzenski, Walker, and Maldonado by sending physical copies of these Notices

1 of Dispute to WarnerMedia via U.S. Mail at its headquarters in New York, New York.
2 These Notices were delivered on January 10, 2023. On January 12, 2023, Keller Postman
3 caused service of a Notice of Dispute for Petitioner Brooks by sending a physical copy of
4 the Notice of Dispute via U.S. Mail to WarnerMedia at its headquarters in New York.
5 This Notice of Dispute was delivered on January 13, 2023. Finally, on January 18, 2023,
6 Keller Postman caused service of a Notice of Dispute for Petitioner Ortiz by sending a
7 physical copy of the Notice of Dispute to WarnerMedia via U.S. Mail at its headquarters
8 in New York. This Notice was delivered on January 19, 2023. All of the physical copies
9 of Petitioners' Notices of Dispute were mailed through a third-party printing vendor
10 located in New York, New York.

11 9. Additionally, on the same day as the respective mailings of the physical
12 copies, Keller Postman served Petitioners' Notices of Dispute by sending a thumb drive
13 containing electronic copies of these Notices of Dispute to WarnerMedia at its
14 headquarters in New York, New York. Finally, on the same day that the respective
15 physical and electronic copies were served through mailing, Keller Postman separately
16 served electronic copies of these Notices of Dispute via e-mail to WarnerMedia at
17 notice@wbd.com.

18 10. On July 18, 2023, Petitioners each filed an individual arbitration demand
19 against WarnerMedia with AAA. Attached as Exhibit K (Petitioner Brooks), Exhibit L
20 (Petitioner Guzinski), Exhibit M (Petitioner Maldonado), Exhibit N (Petitioner Ortiz), and
21 Exhibit O (Petitioner Walker) to this declaration are true and correct copies of those

1 arbitration demands. On July 18, 2023, I electronically filed those arbitration demands
2 with the AAA.

3 11. Attached as Exhibit P to this declaration is a true and correct copy of the July
4 19, 2023 letter from WarnerMedia to Keller Postman.

5 12. Attached as Exhibit Q to this declaration is a true and correct copy of the July
6 20, 2023 email from P. Huber to AAA and WarnerMedia.

7 13. Attached as Exhibit R to this declaration is a true and correct copy of the
8 August 11, 2023 Letter from AAA to Counsel.

9 14. Attached as Exhibit S to this declaration is a true and correct copy of the
10 AAA Consumer Arbitration Rules, amended and effective September 1, 2014.

11 15. Attached as Exhibit T to this declaration is a true and correct copy of Senate
12 Bill 707.

13
14 I affirm that these facts are true under penalty of perjury under the laws of the
15 United States and the State of Illinois.

16
17 Dated: September 25, 2023

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